

Florida Board of Chiropractic Medicine

March 12, 2021 Conference Call Draft Meeting Minutes

March 12, 2021 at 1:00 P.M. ET

Meet Me:

1 (888) 585-9008

Participation Code:

136-103-141



Christopher Fox, D.C.
Chair

Mindy Weingarten, D.C.
Vice Chair (Acting Chair)

Anthony B. Spivey, DrBA
Executive Director

Board Members:

Christopher Fox, D.C. - Chair
Mindy Weingarten, D.C. - Vice Chair (Acting Chair)
Danita Heagy, D.C.
Julie Hunt, DC, FCCJP, DICCP
Kevin Fogarty, D.C.
Gretchen Saunders, Consumer
Ellen Ostman, Esquire, Consumer

Board Staff:

Anthony B. Spivey, DrBA, Executive Director
Dontavia Wilson, Programs Operations Administrator

Board Counsel:

Lawrence Harris, Assistant Attorney General

Court Reporter:

For the Record – (850) 222-5491

Participants in this public meeting should be aware that these proceedings are being recorded. An audio file of the meeting will be posted on the Florida Board of Optometry website.

Please mute your telephone upon entering the meeting site to remove background noises. You will be recognized by the Chair when it is your turn to speak. Thank you in advance for following these instructions to ensure a smooth meeting process.

TAB 1. Call to Order

Dr. Spivey called the meeting order at 1:00 P.M.

Roll Call

Christopher Fox, D.C.- Chair
Mindy Weingarten, D.C – Vice Chair
Julie Hunt, DC, FCCJP, DICCP
Kevin Fogarty, D.C.
Danita Heagy, D.C.
Gretchen Saunders, Consumer
Ellen Ostman, Esquire, Consumer

Lawrence Harris, Assistant Attorney General, Board Counsel

Welcome

Dr. Fox's absence was excused. Dr. Fogarty is recused from this conversation.

Dr. Weingarten was Acting Chair for the duration of this board meeting.

TAB 2. SERC FOR CHIRO 100% ONLINE CE RULE

Dr. Weingarten received an email regarding public comments. She asked Mr. Harris when public comments are added to the discussion.

Mr. Harris explained the process and purpose of the SERC, detailing it would allow synchronous live streaming to constitute live hours. Licensees could achieve all 40 CE hours by any means for this current biennium: live (in person or synchronous streaming) or online. Discussion ensued.

Dr. Spivey made the Board aware that Dr. Fox joined the call. Dr. Fox continued to let Dr. Weingarten Chair the meeting.

No public comments made.

Dr. Hunt made motion to accept the SERC. Ms. Saunders seconded the motion. Motion passed unanimously.

Dr. Heagy wanted to state on record that she voted yes to move the process forward but feels like it did not address all regulatory costs involved with the rule change. Dr. Heagy is unsure how this rises to the board office and requests a more exhaustive review for future SERCs.

TAB 3. REVIEW OF EMERGENCY RULE

Dr. Hunt made a motion to accept the ruling presented. Dr. Fox seconded the motion. Motion passed unanimously.

No public comment made.

Dr. Spivey received emails about the proviso language.

Dr. Heagy stated the recently approved rule would adequately create the exploration which is required by the proviso language. She is comfortable with allowing the rule to take place to see how it proceeds.

Public Comments

Dr. Spivey stated he received an email from Ron Watson. Mr. Watson was present on the call and provided comments. He thanked the Board for this discussion. He's the lobbyist from the Florida Chiropractic Association. He wanted to talk about the proviso language. He questioned if this proviso language would allow the board to do a third emergency rule, after the language that was just approved is in place. Mr. Watson states that having an emergency rule is to fill in the gap while the full rule is going forward. He requested a third emergency rule, using the language that was just adopted, and continue this language as the standard practice (regular rule) moving forward, to save time since it would be the same language.

Steven Miller from Go Learn Network provided comments. He had concerns with the language going forward as written. He stated the language was not supposed to limit online hours. He continued to clarify the difference between synchronous and asynchronous modalities, since the language included "no limitations".

Mr. Harris advised the board they have complied with the specific commandment from the legislature, clarifying the Board of Chiropractic of Medicine shall develop additional continuing education modules that including but not limited to online classroom courses. In rule, all 40 hours may be obtained online.

Additional discussion ensued.

TAB 4. Adjournment

Dr. Hunt made a motion to adjourn. The motion was seconded by Dr. Fox and passed unanimously. The meeting adjourned at 1:39 pm.